

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

**AMAZON.COM, INC and AMAZON
DATA SERVICES, INC.,**

Plaintiffs,

v.

**WDC HOLDINGS LLC d/b/a
NORTHSTAR COMMERCIAL
PARTNERS, et al.,**

Defendants,

Case No. 1:20cv484

**Hon. Rossie D. Alston, Jr.
Hon. Ivan D. Davis**

800 HOYT LLC,

Intervening Interpleader Plaintiff,

v.

BRIAN WATSON, et al.,

Interpleader Defendants.

**DEFENDANTS' MOTION TO EXTEND
THE TIME TO FILE RESPONSES AND
REPLIES TO THE CURRENTLY
PENDING MOTIONS IN LIMINE IN
LIGHT OF THE COURT'S ORDER ON
SUMMARY JUDGMENT**

COME NOW Defendants, Carleton Nelson, Cheshire Ventures, LLC, Brian Watson, WDC Holdings LLC dba Northstar Commercial Partners, NSIPI Administrative Manager, Sterling NCP FF, LLC, Manassas NCP FF, LLC, Casey Kirschner ("Defendants"), and file this motion to extend, for a short period, the deadline for all parties to respond to the presently pending motions in limine as well as the reply deadline, in light of the Court's Order granting summary judgment on the majority of the claims in the case.

Motions in limine were filed by the parties on March 31, 2023. In the interim, yesterday April 6, 2023, the Court granted summary judgment in favor of Defendants on six of the eight claims in this action and narrowed the scope of the remaining case to only the lease transactions.

The pre-trial witness and exhibit lists filed with the Court were created when there were significantly more issues pending in the case. Many of the motions in limine were targeted towards issues that are likely no longer be relevant in light of the Court's ruling,¹ but Defendants would like additional time to evaluate this issue before responding since the order was only entered yesterday when all the Defendants and their counsel were present at one of the recently authorized depositions and are traveling today to the other one that is set to occur tomorrow, Saturday April 8, 2023. Pursuant to the Court's request the parties are also discussing the impact the Court's ruling may have on the necessary trial time and anticipate responding to that inquiry on Monday, April 10, 2023 after discussing the matter. Deferring the response and reply deadlines for the motions in limine by a few days will allow the parties to address all of these matters in a more organized fashion.

Presently the motions in limine are set to be heard on April 24 (in the case of the Defendants' motions) and April 26 (in the case of Plaintiffs' omnibus motion). Delaying the deadlines by a few days will still provide a week after the reply briefs are filed before the first hearing. Further, doing so will allow the parties to discuss whether they agree any of the pending motions are moot, and provide more relevant responses to any remaining motions given the change

¹ Defendants believe the summary judgment ruling may also now mean that other, different motions in limine are necessary depending on whether Amazon seeks to raise issues or put into evidence material related to claims that have been eliminated by the Court's Order on summary judgment. Defendants need time to consider this as well in light of the Court's Order on summary judgment, and will discuss these logistical issues when they discuss the Court's request concerning trial time with Plaintiffs.

on the claims and parties—meaning the briefing will be more relevant for the Court. This motion is being made in good faith and not for purpose of delay.

WHEREFORE Defendants request that the Court extend the deadlines for all parties to respond to the presently filed motions in limine until April 12, 2023 and to file any replies to April 17, 2023.

CERTIFICATION

Defendants consulted with Counsel for Plaintiffs who opposed the requested relief.

April 7, 2023

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